

1 BILL NO. S-90-01- 23

2 SPECIAL ORDINANCE NO. S- 44-90

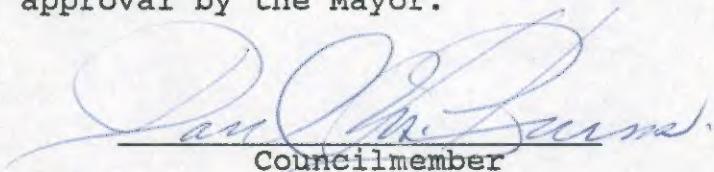
3 AN ORDINANCE approving the awarding of  
4 Reference #908 by the City of Fort  
5 Wayne, Indiana, by and through its  
6 Department of Purchasing and MCMAHON  
7 TIRE for the City Utilities Garage.

8 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF  
9 THE CITY OF FORT WAYNE, INDIANA;

10 SECTION 1. That Reference #908 between the City of  
11 Fort Wayne, by and through its Department of Purchasing and  
12 MCMAHON TIRE for the City Utilities Garage, respectfully  
13 for:

14 the purchase of vehicle alignments  
15 during 1990 for the City Utilities  
16 Garage;  
17 involving a total cost of Twenty-Five Thousand and no/100+/-  
18 Dollars (\$25,000.00+/-), all as more particularly set forth  
19 in said Reference #908 which is on file in the Office of the  
20 Department of Purchasing, and is by reference incorporated  
21 herein, made a part hereof, and is hereby in all things  
22 ratified, confirmed and approved.

23 SECTION 2. That this Ordinance shall be in full force  
24 and effect from and after its passage and any and all  
25 necessary approval by the Mayor.

  
26 Dan O'Meara  
27 Councilmember

28 APPROVED AS TO FORM  
29 AND LEGALITY

30   
31 J. Timothy McCaulay, City Attorney  
32

REFERENCE NO. 908  
 CU GARAGE  
 VEHICLE ALIGNMENTS

DESCRIPTION	FOX & FOX	MCMAHON	FRAME SVS
ALIGN CARS	\$23.50	\$18.00	N/B
ALIGN VANS/TRUCKS	\$23.50	\$18.00	\$37.40
ALIGN TWIN I BEAM	\$40.00	\$18.00	*
ALIGN UP TO 5 TON	\$45.00	\$18.00	\$74.80
ALIGN OVER 5 TON	\$60.00	N/A	\$74.80
ADJ CARS	\$23.50	\$18.00	N/B
ADJ VANS/TRUCKS	\$23.50	\$18.00	\$37.40
ADJ TWIN I BEAM	\$40.00	\$18.00	*
ADJ UP TO 5 TON	\$85.00	\$18.00	\$74.80
ADJ OVER 5 TON	\$120.00	N/A	\$74.80
BEND AXLE VANS	\$30.00	\$15.00	\$27.20
BEND AXLE TWIN I BEAM	\$40.00	\$15.00	\$20.40
BEND AXLE UP TO 5 TON	\$40.00	\$15.00	\$51.00
BEND AXLE OVER 5 TON	\$60.00	N/A	\$51.00

\*PRICE VARIES FROM \$37.40 UP TO \$74.80 OR IF CAMBER PLUGS ARE  
 NEEDED UP TO \$130.00

REF. NO.: 908  
DEPT.: C U GARAGE  
DATE: 1/16/90  
ITEM/SERV.: ALIGNMENTS

PURCHASING INFORMATION

ADVERTISED BID: YES  
DATES ADVERTISED: 12/7/89 & 12/14/89  
OPENING DATE: 12/28/89  
WRITTEN QUOTE:  
DUE DATE:  
VERBAL QUOTE:  
SINGLE SOURCE:  
NO. OF VENDORS NOTIFIED: 12  
NO. OF VENDORS RECEIVING BID: 6  
NO. OF VENDORS RETURNING BID: 3  
NO. OF VENDORS DISQUALIFIED: 0  
NO. OF VENDORS NOT RESPONDING: 9  
DATE SENT TO DEPT FOR RECOMM.: 12/28/89  
DATE RECOMMENDATION REC'D IN PURCH: 1/11/90  
COUNCIL INFORMATION DATES SENT EXTENSION DATES  
DATE INFO SENT TO LAW DEPT.: 1/16/90  
INTRODUCTION DATE: 1/23/90  
DISCUSSION DATE: 2/6/90  
PASSAGE DATE: 2/13/90  
ORDINANCE NO.:  
AMOUNT APPROVED AND/OR SPENT  
LAST YEAR: (IF APPLICABLE)

FRONT PAGE/INVITATION TO BID  
DEPARTMENT OF PURCHASING  
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA  
ONE MAIN STREET - ROOM 350  
PHONE 219-427-1101

BID OPENING DATE 12-28-89 @ 11:00 AM BID REFERENCE # 908

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER."

THIS INVITATION FOR BID IS FOR VEHICLE ALIGNMENTS FOR THE CITY FLEET PER SPECIFICATIONS

AND REQUESTED BY CITY UTILITIES GARAGE

THIS BID REQUIRES AXXXXXX \$1000.00 BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A XXXXXX 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: NET % IF PAID WITHIN 30 DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME MCMAHON TIRE

STREET ADDRESS 502 W Jefferson

CITY Fort Wayne PHONE # (219) 422-2024

BY James D. Miller REPRESENTATIVE SIGNATURE

BID OR PROPOSAL BOND

THE Cincinnati Insurance Company

CINCINNATI, OHIO

KNOW ALL MEN BY THESE PRESENTS, THAT WE,

McMAHON TIRE, INC., 341 West Jefferson Boulevard, Fort Wayne, Indiana 46802

as principal, and THE CINCINNATI INSURANCE COMPANY, a Corporation organized under the laws of the State of Ohio and licensed to do business in the State of Indiana, as surety, are held and firmly bound unto

CITY OF FORT WAYNE, INDIANA, DEPARTMENT OF PURCHASING  
One Main Street, Fort Wayne, Indiana 46802

as obligee, in the penal sum of ---ONE THOUSAND AND NO/100THS----- (\$1,000.00) -----DOLLARS, lawful money of the United States of America, for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

SIGNED, sealed and dated this 28th day of December 19 89

WHEREAS the said principal is herewith submitting proposal for

1990 REQUIREMENTS FOR VEHICLE ALIGNMENT FOR CITY FLEET

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal within the period specified therein for acceptance (60 days if no period is specified) and the Principal shall enter into a contract with the said Obligee in accordance with the terms of said bid and give bond for the faithful performance thereof within the period specified (30 days if no period is specified); or if the Principal shall, in the case of failure to do so, indemnify the Obligee against any loss the Obligee may suffer directly arising by reason of such failure, not to exceed the penalty of this bond, then this obligation shall be null and void; otherwise to remain in full force and effect.

McMAHON TIRE, INC.

(L.S.)

By: Donald J. Mahan (L.S.)

THE CINCINNATI INSURANCE COMPANY



By Donald F. Campbell  
Donald F. Campbell Attorney-in-fact

THE CINCINNATI INSURANCE COMPANY

Cincinnati, Ohio

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That THE CINCINNATI INSURANCE COMPANY, a corporation organized under the laws of the State of Ohio, and having its principal office in the City of Fairfield, Ohio, does hereby constitute and appoint

H. Stanley Huff, Jr.; Donald F. Campbell; Jerry C. Waak and/or Jennifer J. Ruprecht of Fort Wayne, Indiana and deliver on its behalf as Surety, and as its act and deed, any and all bonds, policies, undertakings, or other like instruments, as follows:

Any such obligations in the United States, up to  
Two Million Five Hundred Thousand and No/100 Dollars (\$2,500,000.00).

This appointment is made under and by authority of the following resolution passed by the Board of Directors of said Company at a meeting held in the principal office of the Company, a quorum being present and voting, on the 6th day of December, 1958, which resolution is still in effect:

"RESOLVED, that the President or any Vice President be hereby authorized, and empowered to appoint Attorneys-in-Fact of the Company to execute any and all bonds, policies, undertakings, or other like instruments on behalf of the Corporation, and may authorize any officer or any such Attorney-in-Fact to affix the corporate seal; and may with or without cause modify or revoke any such appointment or authority. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company."

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 7th day of December, 1973.

"RESOLVED, that the signature of the President or a Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary and Treasurer and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power of certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company."

IN WITNESS WHEREOF, THE CINCINNATI INSURANCE COMPANY has caused these presents to be sealed with its corporate seal, duly attested by its Senior Vice President this 14th day of June, 1989.



STATE OF OHIO  
COUNTY OF ) ss:

THE CINCINNATI INSURANCE COMPANY

*Danele J. McCurdy*  
Senior Vice President

*Henry G. Berlon*  
HENRY G. BERLON, Attorney At Law  
Notary Public State of Ohio  
My commission has no expiration date.  
Section 147.03 R. C.

*Robert J. Dukhans*  
Secretary and Treasurer

## BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)  
(Please type or print)

Date: December 26, 1989

1. Governmental Units: City of Fort Wayne  
 2. County: Allen  
 3. Bidder (Firm): McMahon Tire Inc  
 Address: 502 W Jefferson  
 City/State: Fort Wayne, IN  
 4. Telephone Number: (219) 422-2084  
 5. Agent of Bidder (if applicable): N/A

Pursuant to notices given, the undersigned offers bid(s) to City of Fort Wayne (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

  
Signature of Bidder or Agent

## BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount
Wheel Alignments	for the city fleet per specifications				

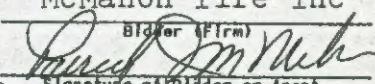
## NON-COLLUSION AFFIDAVIT

STATE OF INDIANA )  
) SS:  
Allen COUNTY )

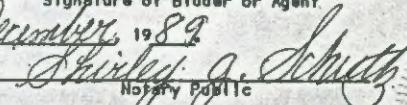
The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

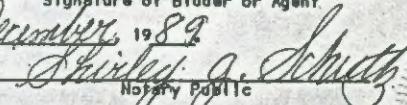
He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

McMahon Tire Inc

  
Signature of Bidder or Agent

Subscribed and sworn to before me this 26<sup>th</sup> day of December, 1989  
My Commission Expires: 9/7/93  
County of Residence: Allen

  
Shirley G. Schultz  
Notary Public

  
Shirley G. Schultz  
Notary Public Printed Name

## ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of City of Fort Wayne hereby accepts the terms of the attached bid for Wheel Alignments and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Contracting Authority Members:

Date: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PRICE SHEET

PERFORMING ALIGNMENT ON CARS	\$ <u>18.00</u>
PERFORMING ALIGNMENT ON VANS & PICK-UPS UP TO AND INCLUDING ONE (1) TON	\$ <u>18.00</u>
PERFORMING ALIGNMENT ON FORD TWIN I BEAM	\$ <u>18.00</u>
PERFORMING ALIGNMENT ON TRUCKS UP TO AND INCLUDING FIVE (5) TON	\$ <u>18.00</u>
PERFORMING ALIGNMENT ON TRUCKS OVER FIVE (5) TON	\$ <u>N/A</u>
ADJUST CASTER/CAMBER AND TOE-IN ON CARS	\$ <u>18.00</u>
ADJUST CASTER/CAMBER AND TOE-IN ON VANS & PICK-UPS UP TO AND INCLUDING ONE (1) TON	\$ <u>18.00</u>
ADJUST CASTER/CAMBER & TOE-IN ON FORD TWIN I BEAM	\$ <u>18.00</u> Toe in only There is no caster
ADJUST CASTER/CAMBER AND TOE-IN ON TRUCKS UP TO AND INCLUDING FIVE (5) TON	\$ <u>18.00</u>
ADJUST CASTER/CAMBER AND TOE-IN ON TRUCKS OVER FIVE (5) TON	\$ <u>N/A</u>
BEND AXLE ON VANS & PICKUPS UP TO AND INCLUDING ONE (1) TON	\$ <u>15.00</u> Per Side
BEND AXLE ON FORD TWIN I BEAM	\$ <u>15.00</u> Per Side
BEND AXLE ON TRUCKS UP TO AND INCLUDING FIVE (5) TON	\$ <u>15.00</u> Per Side
BEND AXLE ON TRUCKS OVER (5) TON	\$ <u>N/A</u>
PARTS AND LABOR	
SPRING REP/REPLACE, PART BRAND NAME	<u>Moog, Perfect Circle</u>
PARTS-JOBBER PLUS/MINUS (INDICATE + OR -)	<u>+15 %</u>
LABOR RATE, PER HOUR	<u>\$ 23.00</u>
KING PIN REP/REPLACE, BRAND NAME	<u>Perfect Circle (Dana)</u>
PARTS-JOBBER PLUS/MINUS (INDICATE + OR -)	<u>+15 %</u>
LABOR RATE, PER HOUR	<u>\$ 23.00</u>
TIE ROD/TIE ROD END REP/REPLACE, BRAND NAME	<u>Moog, Perfect Circle</u>
PARTS-JOBBER PLUS/MINUS (INDICATE + OR -)	<u>+15 %</u>
LABOR RATE, PER HOUR	<u>\$ 23.00</u>

OTHER PARTS OR REPAIRS NEEDED BUT NOT MENTIONED IN THESE SPECS:

All Parts Jobber plus 15%. Labor Rates 23.00 Per Hour. Factory Trained Mechanics. Some Cars have a four Wheel alignment or thrust angle. Add \$8.00 to alignment above if Desired. It is optional.

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Reference No. 908 for vehicle alignments for the C U Garage for 1990. The cost reflects the lowest and most responsive of three (3) vendors.

*J-90-01-33*

EFFECT OF PASSAGE: This service is needed for alignments for City vehicles.

EFFECT OF NON-PASSAGE: Without this, tires would wear out and damage would be done to under carriage.

MONIES INVOLVED: McMahon Tire \$25,000.00 +/-

PRICE AGREEMENT: Yes

PURCHASE ORDER:

SOURCE OF FUNDING: C U Garage 702-803-G154-4239

PRIOR APPROVAL:  
(IF APPLICABLE)

DATE:

BILL NO. S-90- 01-33

REPORT OF THE COMMITTEE ON CITY UTILITIES

PAUL M. BURNS, CHAIRMAN  
MARK E. GIAQUINTA, VICE CHAIRMAN  
HENRY, LONG, TALARICO

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS  
REFERRED AN (ORDINANCE) (RESOLUTION) approving the awarding  
of Reference #908 by the City of Fort Wayne, Indiana, by and  
through its Department of Purchasing and MCMAHON TIRE for the  
City Utilities Garage

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (RESOLUTION)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

*Paul Burns*  
*Mark J. Giacinta*  
*Henry Long*  
*Samuel J. Talarico*

DATED: 2-13-90

Sandra E. Kennedy  
City Clerk

DATED: 1-23-90

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Burns,  
seconded by Burdett, and duly adopted, placed on its  
passage. PASSED YEST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	8			1
<u>BRADBURY</u>	✓			
<u>BURNS</u>	✓			
<u>EDMONDS</u>	✓			
<u>GiaQUINTA</u>	✓			
<u>HENRY</u>	✓			
<u>LONG</u>	✓			
<u>REDD</u>	✓			
<u>SCHMIDT</u>				✓
<u>TALARICO</u>	✓			

DATED:

2-13-90

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. S-44-90  
on the 13th day of February, 1990.

*Sandra E. Kennedy* ATTEST  
SANDRA E. KENNEDY, CITY CLERK

SEAL  
Hawley  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 14th day of February, 1950,  
at the hour of 11:30 o'clock A.M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 15th day of February,  
1990, at the hour of 4:30 o'clock P.M., E.S.T.

PAUL HELMKE, MAYOR